

**AN ORDINANCE
BY: COUNCILMEMBER H. LAMAR WILLIS**

11-O-0947

**AS SUBSTITUTED
BY: FINANCE EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE OF THE CITY OF ATLANTA. TO AUTHORIZE THE CITY INTERNAL AUDITOR TO EXECUTE AMENDMENT NO. 4 TO CONTRACT NO. FC-6005007976 BETWEEN THE CITY OF ATLANTA AND BANKS, FINLEY, WHITE & COMPANY, TO EXTEND THE CONTRACT TERM FOR AN ADDITIONAL 8 MONTHS AND ADD FUNDING IN AN AMOUNT NOT TO EXCEED \$900,000; ALL EXPENSES TO BE CHARGED TO AND PAID FROM FUND, DEPARTMENT, ACCOUNT AND ORGANIZATION NUMBERS 1001 (GENERAL FUND) 290101 (AUDIT ADMINISTRATION) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1512000 (ACCOUNTING) \$300,000; 5051 (WATER AND WASTEWATER REVENUE FUND) 290101 (AUDIT ADMINISTRATION) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1512000 (ACCOUNTING) \$300,000; 5501 (AVIATION REVENUE FUND) 290101 (AUDIT ADMINISTRATION) 5212001 (CONSULTING/PROFESSIONAL SERVICES) 1512000 (ACCOUNTING) \$300,000; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into Contract No. FC-6005007976. Annual Contract for the City of Atlanta Audit of Financial Statements ("Contract"), pursuant to Resolution 05-R-2133 effective January 23, 2006; and

WHEREAS, the original term of the contract was for one (1) year with three (3) one-year renewal options at the sole discretion of the City; and

WHEREAS, Ordinance 07-0-0588 adopted by City Council on May 7, 2007 and approved by the Mayor on May 14, 2007 authorized Renewal No. 1 for a period of one (1) year effective January 24, 2007; and

WHEREAS, Resolution 07-R-1934 adopted by City Council on September 17, 2007 and approved by the Mayor on September 24, 2007 authorized Amendment No. I to the contract to add funding in an amount not to exceed \$155,000.00 and

WHEREAS, Ordinance 08-0-2249 adopted by City Council on November 17, 2008 and approved by the Mayor on November 24, 2008 authorized the second renewal option for a period of one (1) year in an amount not to exceed \$900,000; and

WHEREAS, Ordinance 09-O-0836 adopted by City Council on May 18, 2009 and approved by the Mayor on May 26, 2009 authorized Amendment No.2 to extend the contract term for an additional 7 months, effective January 22, 2010 through August 21, 2010 in an amount not to exceed \$1,100,000, in order to complete the 2009 audit; and

WHEREAS, Ordinance 10-O-1248 adopted by City Council on July 19, 2010, and approved by the Mayor on July 27, 2010 authorized Amendment No.3 to extend the contract term for an additional 7 months, effective August 22, 2010 through March 21, 2011 in an amount not to exceed \$1,100,000, in order to complete the 2010 audit.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That the City Internal Auditor is authorized to execute Amendment No. 4 to FC6005007976, Annual Contract for the City of Atlanta Audit of Financial Statements, to extend the term for an additional 8 months effective July 1, 2011 for completion of the FY 2011 audit, and add funding in an amount not to exceed \$900,000, to be charged to and paid from Fund, Department, Account and Organization Numbers 1001 (General Fund) 290101 (Audit Administration) 5212001 (Consulting/Professional Services) 1512000 (Accounting) \$300,000; 5051 (Water And Wastewater Revenue Fund) 290101 (Audit Administration) 5212001 (Consulting/Professional Services) 1512000 (Accounting) \$300,000; 5501 (Aviation Revenue Fund) 290101 (Audit Administration) 5212001 (Consulting/Professional Services) 1512000 (Accounting) \$300,000.

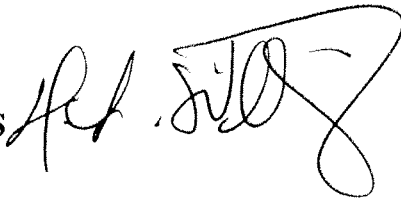
SECTION 2: That the City Attorney is directed to prepare Amendment No. 4 for execution by the City Internal Auditor.

SECTION 3: That Amendment No.4 will not become binding on the City, and the City will incur no obligation or liability until they have been executed by the City Internal Auditor, attested to by the Municipal Clerk, approved as to form by the City Attorney, and delivered to Banks, Finley, White & Company.

SECTION 4: That all applicable competitive procurement provisions of the City's Procurement and Real Estate Code and all other Ordinances or parts of Ordinances in conflict with this Ordinance are waived to the extent of the conflict.

SECTION 5: That this Ordinance shall take effect upon adoption and approval by the Mayor of Resolution 11-R-0376.

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